



Order Filed on October 29, 2020  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**McMANIMON, SCOTLAND  
& BAUMANN, LLC**

75 Livingston Avenue – 2<sup>nd</sup> Floor  
Roseland, New Jersey 07068  
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Richard D. Trenk, Esq.

Joshua H. Raymond, Esq.

*Attorneys for Allstate New Jersey Insurance  
Company and Related Entities*

In re:

STEPHEN J. CONTE, JR.

Debtor.

Case No. 18-29278(JKS)

Chapter 11

**STIPULATION AND CONSENT ORDER (I) EXTENDING  
TIME TO FILE A NONDISCHARGEABILITY ADVERSARY  
COMPLAINT AND OBJECTION TO DISCHARGE AND (II)  
ADJOURNING DEPOSITION OF STEPHEN J. CONTE, JR.  
AND (III) ADJOURNING MOTION OBJECTING TO CLAIM**

The relief set forth on the following pages, numbered two (2) through five (5), is hereby  
**ORDERED.**

**DATED: October 29, 2020**

A handwritten signature in black ink, appearing to read "J K Sherwood", written over a horizontal line.

Honorable John K. Sherwood  
United States Bankruptcy Court

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Debtor: Stephen J. Conte, Jr.

Case No.: 18-29278(JKS)

Caption of Order: Stipulation and Consent Order (i) Extending Deadline To File Nondischargeability Complaint and Objection To Discharge (ii) Adjourning Deposition of Stephen J. Conte, Jr. (iii) Adjourning Motion Objecting to Claim

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**WHEREAS**, on September 28, 2018, Debtor filed a Voluntary Chapter 13 Petition; and

**WHEREAS**, on May 30, 2019, Debtor's Chapter 13 case was converted to Chapter 11;

and

**WHEREAS**, on May 20, 2020, Allstate New Jersey Insurance Company; Allstate Insurance Company; Allstate Indemnity Company; Allstate Property and Casualty Insurance Company; Allstate New Jersey Property and Casualty Insurance Company (collectively, "Allstate"), filed two proofs of claim asserting an administrative claim in the amount of \$244,085.25 [Claim No. 10] and an unsecured claim in the amount of \$1,514,239.14 [Claim No. 11]; and

**WHEREAS**, on May 27, 2020, Allstate filed an Adversary Complaint objecting to discharge and non-dischargeability captioned as Allstate New Jersey Insurance Company et al. v. Conte, Adv. Pro. No. 20-1323 (JKS) (the "Adversary Proceeding"); and

**WHEREAS**, On June 1, 2020, Allstate filed an Amended Adversary Complaint, and

**WHEREAS**, on June 29, 2020, Debtor filed a Motion to Dismiss Allstate's Amended Adversary Complaint; and

**WHEREAS**, Allstate filed opposition to the Motion to Dismiss and Debtor filed a reply; and

**WHEREAS**, on July 28, 2020, a hearing was conducted on the Motion to Dismiss and on August 14, 2020, the Court entered an Order dismissing the Amended Adversary Complaint

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Debtor: Stephen J. Conte, Jr.

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without prejudice and set October 15, 2020 as Allstate's deadline to re-file a complaint objecting to discharge and non-dischargeability (the "Order"); and

**WHEREAS**, on August 25, 2020, Allstate's filed an Application along with a motion seeking to extend the time for Allstate to file an objection to the Debtor's discharge and a non-dischargeability complaint pursuant to applicable provisions of the Bankruptcy Code and the Federal Rules of Bankruptcy Procedure; and

**WHEREAS**, on September 24, 2020, the Court entered an Order extending deadline to file nondischargeability Complaint and Objection to Discharge which extended Allstate's deadline to object to discharge and time to file a non-dischargeability adversary complaint until January 13, 2021; and

**WHEREAS**, on October 7, 2020, the Court entered an Order Denying Debtor's Motion to Quash Subpoenas, and such order also compelled Debtor to produce documents and appear for the taking of his Rule 2004 examination before October 30, 2020; and

**WHEREAS**, the Debtor agreed that he would appear for his Rule 2004 Examination on October 29, 2020; and

**WHEREAS**, the Debtor filed an objection to Allstate's Proofs of Claim and the hearing is currently scheduled for December 15, 2020; and

**NOW, BE IT HEREBY STIPULATED, AGREED AND ORDERED AS FOLLOWS:**

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Debtor: Stephen J. Conte, Jr.

Case No.: 18-29278(JKS)

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**ORDERED** that the Debtor's Rule 2004 examination previously scheduled for October 29, 2020 shall be rescheduled for January 28, 2021 at 10:00 a.m., and it is further

**ORDERED** that the hearing on the Debtor's Motion objecting to Allstate's Proof of Claim is adjourned until April 27, 2021, and it is further

**ORDERED** that the Debtor's confirmation hearing is adjourned until April 27, 2021, and it is further

**ORDERED** that Allstate's time to file a non-dischargeability adversary complaint be and is hereby extended to and including April 30, 2021, pursuant to 11 U.S.C. § 523(c) and Federal Rule of Bankruptcy Procedure 4007; and it is further

**ORDERED** that the Allstate's time to file an objection to discharge be and is hereby extended to and including April 30, 2021, pursuant to 11 U.S.C. § 727 and Federal Rule of Bankruptcy Procedure 4004; and it is further

**ORDERED** that the entry of this order is without prejudice to Allstate's right to seek further extensions; and it is further

**ORDERED** that, unless otherwise set forth herein, all other pending motions, discovery requests, Rule 2004 examinations, and document productions shall continue as scheduled, and per prior orders of this Court.

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Debtor: Stephen J. Conte, Jr.  
Case No.: 18-29278(JKS)  
Caption of Order: Stipulation and Consent Order (i) Extending Deadline To File Nondischargeability Complaint  
and Objection To Discharge (ii) Adjourning Deposition of Stephen J. Conte, Jr. (iii)  
Adjourning Motion Objecting to Claim

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*Stipulated and consented to on the terms provided herein:*

**McMANIMON, SCOTLAND  
& BAUMANN, LLC**  
*Attorneys for Allstate New Jersey Insurance  
Company and Related Entities*

**NOGAARD, O'BOYLE & HANNON**  
*Counsel to Debtor, Stephen J. Conte, Jr.*

By: /s/ Joshua H. Raymond  
JOSHUA H. RAYMOND

By:   
JOHN O'BOYLE

Dated: October 27, 2020

Dated: October 27, 2020

**COLE SCHOTZ, P.C.**  
*Attorneys for Jeffrey T. Testa,  
Chapter 11 Trustee*

By: /s/ Ryan T. Jareck  
RYAN T. JARECK

Dated: October 27, 2020

In re:  
Stephen J. Conte, Jr.  
Debtor(s)

Case No. 18-29278-JKS  
Chapter 11

## CERTIFICATE OF NOTICE

District/off: 0312-2  
Date Rcvd: Oct 30, 2020

User: admin  
Form ID: pdf903

Page 1 of 3  
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 31, 2020:

Recip ID	Recipient Name and Address
db	Stephen J. Conte, Jr., 395 North Farview Avenue, Paramus, NJ 07652
aty	+ Norgaard O'Boyle, 184 Grand Ave, Englewood, NJ 07631-3578

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 31, 2020

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 29, 2020 at the address(es) listed below:

Name	Email Address
Brian Gregory Hannon	on behalf of Debtor Stephen J. Conte Jr. bhannon@norgaardfirm.com, sferreira@norgaardfirm.com;184grandno@gmail.com;kcimmino@norgaardfirm.com;crose@norgaardfirm.com;dtakach@norgaardfirm.com
Cassandra C. Norgaard	on behalf of Defendant Stephen J. Conte Jr. cnorgaard@norgaardfirm.com, sferreira@norgaardfirm.com;184grandno@gmail.com;kcimmino@norgaardfirm.com;dtakach@norgaardfirm.com
Denise E. Carlon	on behalf of Creditor Morgan Stanley Mortgage Loan Trust 2007-1XS U.S. Bank National Association, as Trustee, successor in interest to Bank of America, National Association, as Trustee, successor by merger to LaSalle Bank dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Denise E. Carlon	on behalf of Creditor US Bank National Association As Successor Trustee to Bank of America, National Association (Successor

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by Merger to Lasalle Bank National Association) As Trustee for Morgan Stanley Mortgage Loan Trust  
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

Gavin Stewart

on behalf of Creditor Specialized Loan Servicing LLC, as servicing agent for Morgan Stanley Mortgage Loan Trust  
bk@stewartlegalgroup.com

Jeffrey Thomas Testa

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John O'Boyle

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sferreira@norgaardfirm.com;184grandno@gmail.com;kcimmino@norgaardfirm.com;crose@norgaardfirm.com

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on behalf of Plaintiff Allstate New Jersey Insurance Company jraymond@msbnj.com

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on behalf of Plaintiff Allstate Property and Casualty Insurance Company jraymond@msbnj.com

Joshua H. Raymond

on behalf of Plaintiff Allstate Insurance Company jraymond@msbnj.com

Joshua H. Raymond

on behalf of Plaintiff Allstate New Jersey Property jraymond@msbnj.com

Joshua H. Raymond

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Joshua H. Raymond

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Michael A. Artis

on behalf of U.S. Trustee U.S. Trustee michael.a.artis@usdoj.gov

Michael S. Horn

on behalf of Debtor Stephen J. Conte Jr. mhorn@archerlaw.com

Rebecca Ann Solarz

on behalf of Creditor Morgan Stanley Mortgage Loan Trust 2007-1XS U.S. Bank National Association, as Trustee, successor in  
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Ryan T. Jareck

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Seth L. Dobbs

on behalf of Debtor Stephen J. Conte Jr. sdobbs@aboylaw.com, TJANNICELLI@ABOYOUNDOBBBS.COM

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U.S. Trustee

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TOTAL: 30